

## SUMMARY OF FEDERAL RECORDS ACT OF 1950

PL 754 By 81st Congress was approved 5 Sept. 1950.

It is TITLE V--Federal Records also called Federal Records Act of 1950.

Title V was enacted primarily to amend the Federal Property and Administrative Services Act of 1949 by adding this new Title V.

The Sections of Title V (PL 754) provide the following:

- 501 List short title of act, "Federal Records Act of 1950."
- 502 Gives the Administrator of the Federal Archives custody and control over all archival buildings and their contents used by him.
- 503 Creates the National Historical Publications Commission headed by Archivist with members from Library of Congress, Senate, House, Supreme Court, State, Defense, American Historical Association, and two experts in social and physical sciences. The Commission plans and recommends appropriate historical works and collections for printing and recording by Federal, State, or local agencies and nongovernmental institutions, societies, or individuals.
- 504 Authorizes Archives' Administrator to establish a Federal Records Council with representatives from the legislative branch (4), judicial branch (2), and executive branch (6). The Council shall advise and assist the Administrator carry out the purposes of Title V.
- 505 Requires or authorizes the Administrator to:
- (a) Promote and supervise economical and efficient Federal records management.
  - (b) Establish standards for selective retention of valuable records and to act to prevent loss or to recover removed valuable records, going to Agency head or Attorney General as needed.
  - (c) Inspect all Federal records and records management and disposal practices, (and provides exception for security and public interest records which must be inspected according to Administrator's regulations when approved by head of Agency concerned.)
  - (d) Establish and operate records centers for storing and processing Federal records pending their deposit in National Archives.
  - (e) Issue regulations governing transfer of records from custody of one executive Agency to another.
  - (f) Permit some temporary exceptions to disposal schedules approved by Congress.
- ✓ 506 Requires or authorizes each Federal Agency head to:
- (a) Preserve records documenting organization, functions, policies, decisions, procedures, and essential transactions of the Agency.
  - (b) Establish and maintain an active and continuing Agency records management program that provides (1) control over creation, maintenance, and use of current records, (2) Cooperation with Administrator's standards to improve management of records, and (3) Compliance with Title V.
  - (c) Store appropriate records in Federal records center or, when approved, in Agency records center.
  - (d) Certify to facts on basis of records transferred by him or his predecessor to the Administrator.
  - (e) Safeguard against removal or loss of those records covered by Administrator's regulations and advise all his officials and employees (1) to destroy records only in accordance with the Act approved 7 July 43 and as amended, and (2) of penalties provided for violations.

- 506 (f) Notify Administrator and initiate action to prevent loss or to recover removed valuable records of Agency.
- (g) Continue accounting to Comptroller and General Accounting Office without change by Title V.
- 507 The Administrator
- 507 Treats with Archival administration and in it the Administrator is:
- (a) Authorized to (1) Accept Agency or Congress' valuable records for preservation
  - (2) Transfer approved records to public or educational institutions (but retain ownership and (3) accept private materials.
  - (b) Responsible for custody, use, and withdrawal of records transferred to (but some exceptions and limitations to this responsibility are provided
  - (c) Required to preserve, arrange, repair, reproduce, describe, and exhibit records transferred to him as needful or appropriate.
  - (d) Required to provide facilities to service records in his custody.
  - (e) Entitled to accept for deposit (1) Personal papers of Presidents, department heads, and government officials designated by the President. and (2) Private films, photos, and recordings appropriate for government preservation.
  - (f) Authorized to make distribute, and preserve films, photos, and recordings on development of the U.S. Government.
- 508 (a) Authorizes Administrator to obtain necessary reports from Federal Agencies.
- (b) Requires Administrator, when he finds violations of Title V, to notify Agency head and make recommendations for correction. If not corrected Administrator is required to report to President and Congress.
- 509 Establishes the legal status of reproductions: ~~(b)(1)~~
- (a) Made according to Administrator's standards, and
  - (b) Stamped with the official National Archives seal.
  - (c) Permits the Administrator to charge a reproduction fee 10% above costs.
- 510 Establishes that after letters and intellectual productions come to custody of Administrator, neither the U.S. nor its agents are liable for infringement of literary property rights arising from display, reproduction, and so forth.
- 511 Defines:
- (a) Records as covered in section 1 of Records Disposal Act of 1943.
  - (b) Records Center as establishment maintained by Administrator or an Agency to store and service inactive records.
  - (c) Servicing as making available for use. deposit.
  - (d) National Archives of U.S. as those records accepted by Administrator for /
  - (e) Unauthenticated copies as exact reproductions not officially stamped.
  - (f) Archivist as Archivist of U.S.